



BOB RILEY
GOVERNOR

STATE OF ALABAMA
Department of Insurance
State Fire Marshals Office
201 MONROE STREET, SUITE 1790
POST OFFICE BOX 303352
MONTGOMERY, ALABAMA 36130-3352
TELEPHONE: (334) 241-4166
FACSIMILE: (334) 241-4158
INTERNET: www.aldoi.gov.

WALTER A. BELL
COMMISSIONER
DEPUTY COMMISSIONER
D. DAVID PARSONS
JAMES R. (JOHNNY) JOHNSON
CHIEF EXAMINER
RICHARD L. FORD
ACTING STATE FIRE MARSHAL
RICHARD MONTGOMERY
GENERAL COUNSEL
MICHAEL A. BOWNES
RECEIVER
DENISE B. AZAR
LICENSING MANAGER
JIMMY W. GUNN

March 16, 2004

Commissioner Walter A. Bell
201 Monroe Street; Suite 1700
Montgomery, Al. 36104

RE: 2003 Annual Report

Dear Sir:

The 2003 Annual Report of the Alabama State Fire Marshals Office is submitted in compliance with Section 36-19-26 Code of Alabama 1975.

The State Fire Marshals Office has been fortunate in the last two years in being able to hire additional Deputy State Fire Marshals. This has enabled the State Fire Marshals Office to provide better services to the public and in a timelier manner. During this past year we had one Deputy State Fire Marshal to resign to accept other employment, one Deputy to retire and the State Fire Marshal to retire. We also had one secretary to retire. We are looking forward to replacing these employees before it has an impact on the service to the public and the additional work load on the remaining employees.

With the increase in the field staff the past two years we have been able to assign some personnel the responsibility of conducting inspections. The ability to focus some of the workforce on inspections has increased our responsiveness to the public, identifying and eliminating fire hazards, and helping new businesses to open in a timelier manner. These functions provide an economic benefit to the state, and a safer environment for our citizens.

This past year the State Fire Marshals Office responded to a number of weather related disasters in every area of the state. Many areas that suffer weather related disasters are inaccessible immediately after the storms pass. The addition of an ATV to our fleet would ensure that our personnel could access these areas and provide assistance to citizens in need. The use of these vehicles would also enable our personnel to provide more accurate information to the Disaster Coalition and the Commissioner.

Employees of this division are continuing to participate in training for other organizations and agencies in fire prevention and related fields. We also continue to cooperate with other agencies in providing free smoke detectors in much needed areas.

During 2003 this division conducted 867 fire, explosion and fire related investigations. This is an increase of 45 investigations over 2002. Of these 348 are classified as arson, 14 other criminal acts and 12 still under investigation. The remaining 493 include 178 known accidental fires. With the hiring of the additional deputies we have been able to devote more time and expertise and therefore have more accurately determined the causes of fires. We are getting more cases involving bomb threats, possession of explosives and explosive devices with 13 as compared to 4 in 2002.

Investigation conducted in 2003 resulted in 170 criminal charges being filed by investigators, an increase over the 146 criminal charges filed in 2002. Charges filed in 2003 include 75 for arson, 7 conspiracy to commit arson, 19 criminal mischief, 4 capital murder, 3 attempted murder, and 2 murder charges. Criminal cases making there way through the court system resulted in 58 convictions in 2003. These include 32 arson, 5 conspiracy to commit arson, and 6 criminal mischief convictions.

Fire deaths increased to 83 in 2003 from 78 in 2002. Even though there is a small increase, this is still the 6th time in the past 10 years that fire deaths in Alabama have been below 100. We believe that educating the public, fire prevention inspections, and the smoke alarm initiative are the most important issues in reducing the number of fire deaths in Alabama.

The overall revenue collected by this division was \$340,000.00 which is an increase of \$90,350.00 over 2002. There was an increase in all categories of permits with the largest increase in the fireworks permits of \$56,875.00. The increase in revenue for 2004 should be much more due to the increase in fees and permits and the permits for the Fire Pump weekly tests.

The most urgent need for the Fire Marshals Office at this time is to provide safe and reliable vehicles for division personnel. The State Fire Marshals Office has 23 law enforcement officers and most operate vehicles with an excessive amount of mileage. We only have 5 vehicles with less than 100,000 miles. The Ford cars range from a 2003 model with 28,000 miles to a 1997 model with over 160,000 miles. The Jeep Cherokees range from a 1999 model with 96,000 miles to a 1995 model with 155, 000 miles. Maintenance on the Jeeps is excessive with an average of \$1047.00 per vehicle. Due to very little maintenance being done in the last 3 months of 2003 the average cost will increase dramatically in the early months of 2004. The average maintenance cost for the Fords is somewhat less at \$680.00 but due to the age and mileage of these vehicles will most probably increase in 2004. We desperately need to begin a scheduled program to replace these vehicles in a timely and efficient manner. Many of these vehicles are unsafe and certainly not reliable when personnel are called upon at all hours and during all weather conditions.

The State Fire Marshals Office has noticed an increase in the number of fires and explosions where clandestine drug labs have been reported to be operating. These labs and the hazardous chemicals they contain pose a serious risk to responding firefighters and investigators. Investigation of almost all these fires reveal that the origin of the fire is accidental, caused by the improper storage or handling of the hazardous chemicals. Working in conjunction with the Department of Insurance Legal Division the State Fire Marshals Office is attempting to propose legislation making it a felony when a fire or explosion occurs in a clandestine lab.

This Division continues to work with Alabama Environmental Management Agency, Homeland Security, the Department of Public Health, and other agencies regarding matters of public interest.

Thank you for your continued support for this division.

Sincerely,

A handwritten signature in cursive script, reading "Richard Montgomery". The signature is written in dark ink and is positioned above the printed name and title.

Richard Montgomery
Acting State Fire Marshal